



4# RCE  
1600

Patent  
Attorney's Docket No. 032775-047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#15

In re Patent Application of

Matthew C. Coffey

Application No.: 09/847,355

Filed: May 3, 2001

For: VIRUS CLEARANCE OF NEOPLASTIC CELLS  
FROM MIXED CELLULAR COMPOSITIONS

Group Art Unit: 1636

Examiner: Lambertson, David A.

Confirmation No.: 6889

TECH CENTER 1600/2900

MAY 20 2003

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REQUEST FOR CONTINUED EXAMINATION  
TRANSMITTAL LETTER

MAIL STOP RCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



21839

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose  
the ☒ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1. Applicant(s) previously submitted the following documents for which continued examination is requested:  
☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.  
☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.  
☐ Other: \_\_\_\_\_
2. The following documents are enclosed with this submission:  
☒ Amendment/Reply.  
☐ Affidavit(s)/Declaration(s).  
☐ Information Disclosure Statement (IDS).  
☒ Other: Terminal Disclaimer and Statement Under 37 C.F.R. §3.73(b)
3. ☐ Small entity status is hereby claimed.  
☐ No additional claim fee is required.  
☐ The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

05/19/2003 KZENDIE 00000016 09847355

01-FC:2801 375.00-0P

05/19/2003 KZENDIE 00000016 09847355

01 FC:2801 375.00 OP  
02 FC:2202 45.00 OP

## Request for Continued Examination Transmittal Letter

Application No. 09/847,355Attorney's Docket No. 032775-047

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CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS THUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Basic Fee					\$750.00 (1001)
Total Claims	30	MINUS 25 =	5	× \$18.00 (1202) =	90.00
Independent Claims	2	MINUS 3 =		× \$84.00 (1201) =	
If multiple dependent claims are presented, add \$280.00 (1203)					
Total Fee					840.00
If small entity status is claimed, subtract 50% of Total Fee					420.00
<b>TOTAL FEE DUE</b>					<b>420.00</b>

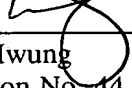
4. ☒ A check in the amount of \$ 475.00 (\$420.00 for the RCE filing fee and \$55.00 for the Terminal Disclaimer fee) is enclosed for the fee due.
5. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6. ☐ Applicant(s) requests suspension of action by the Office until at least \_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER &amp; MATHIS, L.L.P.

Date: May 15, 2003

By:   
 Ping F. Hwung  
 Registration No. 44,164

P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (650) 622-2300



Attorney's Docket No. 032775-047

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Applicant/Patent Owner: ONCOLYTICS BIOTECH INC.

Application No./Patent No.: 09/847,355

Filed/Issue Date: May 3, 2003

Entitled: **VIRUS CLEARANCE OF NEOPLASTIC CELLS FROM MIXED CELLULAR COMPOSITIONS**

ONCOLYTICS BIOTECH INC.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011782, Frame 0400, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

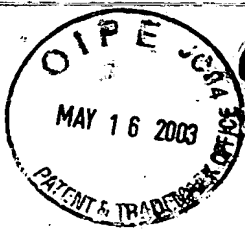
The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: May 13/03

Signature

MATTHEW C. COFFEY  
Typed or printed name

VP Product Development  
Title



#13/B  
Lita  
Patent 5/22/03

Attorney's Docket No. 032775-047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Mail Stop RCE
	)	
Donald Morris, et al.	)	Group Art Unit: 1636
	)	
Application No.: 09/847,355	)	Examiner: Lambertson, David A.
	)	
Filed: May 3, 2001	)	Confirmation No.: 6889
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For: VIRUS CLEARANCE OF	)	
NEOPLASTIC CELLS FROM	)	
MIXED CELLULAR COMPOSITIONS	)	

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**AMENDMENT AND REPLY TO OFFICE ACTION UNDER 37 C.F.R. §1.114**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment and Reply to Office Action is submitted in response to the Office Action mailed February 24, 2003 ("the Office Action"), for the above-referenced application. The Examiner set a three (3) month period for response. This response is being filed before its current due date of May 24, 2003.

This Amendment and Reply constitutes a **Request for Continued Examination Pursuant to 37 C.F.R. §1.114**. Prior to the continued examination of this application under 37 C.F.R. §1.114, please enter the following amendments and consider the following remarks.